

App F IX 4

Previous References

ml 120-42-146, 159 Municipal

1943 M

ml File No 52-44

Serial Nos

1, 2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

2

Part B for

August 1944

SUBJECT

Re. Refunds of deposit of Rs 100/- made
by M. A. K. Jayamuthurayan

The Municipal Commr. Bangalore
.. Comptroller & Secy.

For 1442-3 dated 9/8/44.

Sanctions as a/cd cases

2/24/46

me

6877

of 4344

Page

Letter no cf-c 912/42 dt 21-4-44 from
the princ. commr, Bangalore forwarding
for orders of Govt a copy of the resolution
of the me cl dt 31-3-44 recommending
that the deposit of Rs 100 made by
Mr. A.K. Jayaramtharaja may be
refunded

(1) Kind reference is invited to Rule 14 (4)
of the rules relating to the election of
Members to the City Mithras

Subj for orders.

18/5/44

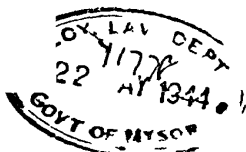
2) Rule 14 (4) of the city
ml election rules is mandating
the deposit of Rs 100 has been
forfeited & credited to the princ. commr

ml funds

3) On the application of the candidate
- Mr. Jayaramtharaja, the city ml
have resolved on 23/4/44 that the
amount may be refunded as a
special case. The resolution is
sub for orders

Lawyer

18/5/44



6877

8473/843

210 Reg. no 21/23-5-44

In favour of minimum

min-reg law sec 1 are) for 23/5/44

6 The Election Rules may please be put up

W. H. G. (S) W.

3/23/5

Order with a copy of the Election Rules

KMS 28/5

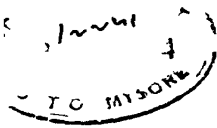
Not leg law) for 23/5/44

copy file board
forwarded with
C.I. response

23/5/44

... Municipal Council ... Resolution ... supported by many ...

On the other hand, the Resolution in question is directly contrary to the provisions of Rule 14 (a) of the Election Rules which is mandatory. The object of the Rules is to ensure that the votes of the candidates are counted and that the number of votes is not exceeded. It is to be expected that the Municipal Council will not support the said Resolution. This may be explained to the Municipal Council by the fact that the said Resolution is contrary to the provisions of the Election Rules and is therefore invalid. The question should be referred to the Municipal Council for their consideration and decision. As prescribed in the Municipal Regulation (M.S. Sec. Law Section) 3/



10 May 1943 Municipal Commissioner,
Mysore. We are informed according to

Law Dept. 2/6/43

11 Are there any precedents?
Being kept

12 Mr. Justice, the case of Mr.
Paul Chennappa -

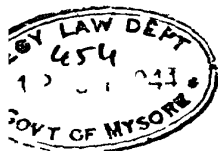
Acc
26/6/43
Law

13 subd. 25-39(7+8) relating to the
refund of the deposit of Rs 100/- to
Mr. Paul Chennappa's bank up
11/12/43 the circumstances of this case
are however different in the
case of Mr. Paul Chennappa, he put
in an application withdrawing his
nomination for the membership of the
M.C.C. and it was stated that it
was received beyond the prescribed time
- In that case, the refund was allowed
as a special case. Beyond this, there
are no other similar cases of refund
granted in respect of Mr. Chennappa.

14 Refee para. 11 supra. In order

Law Dept. 10/7/43

15 Since there was no irregularity committed by



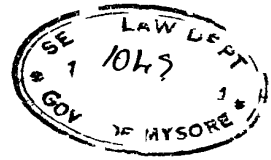
the Court regarding this election
put up that file

was
12-7-44
for

subd with ord 120-142 (146 & 153)
bearing on the subject

WLB
13/7

Law Secy 13/7 44



The election was held
in spite of the suggestion made
by the Govt that the date of
election should be postponed
since the procedure adopted
was not according to law
In view of this it is the
fact that the applicant
is an S.R., the request
may be given as a
special case

Amr 62 59

was
13-7-44
from

144
267 44

was
27 7 44

SP for

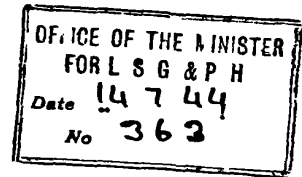
subd with address to for app

WLB
-98

Amr 102 1000
1442-3 8/8/44

7/11/44

2 B 46



BANGALORE CITY MUNICIPALITY

Nb C1-C 912/42

MUNICIPAL OFFICES

Encl

Bangalore 1st DE 11194 4

M 52-44-1

FROM

P SURYANARAYANA SETTI ESQ BA LLB
MUNICIPAL COMMISSIONER
Bangalore City



TO

C Narayanaswamy Narayana Esq, BA LLB
Secretary to Government,
Law Department,
Bangalore

SIR

I have the honour to state that Mr A K Jayamuthu Raju had stood for election to the Municipal Council from the 8th Division at the Bye-election held on 31st January 1943

2 He secured only 27 votes and therefore he was not only not elected but he lost his deposit amount also under Rule 14 (4) of the Rules for the conduct of elections in City municipalities

3 On 23-3-1943, he submitted an application to the then Honorary President requesting, among other things that the deposit of Rs 100/- may be recommended to be refunded to him

4 This application was placed before the Municipal Council at its meeting held on 28-12-1943 and it was resolved that refund may be sanctioned as a special case

5 I am enclosing a copy of the resolution for favour of obtaining orders of Government in the matter

I have the honour to be
Sir,
Your most obedient servant,

P. Suryanarayana Setti
Municipal Commissioner

mlt

forwarded with compliments

C. N. Narayana

Honorary President

29 6 44

Recd 29 6 44

Minutes of the Proceedings of the Adjourned Meeting of the^x
City Municipal Council, Bangalore, held on Friday, the 31st March
1944 at 4 P M , in the Council Chamber of the City Municipal Offices,
Bangalore

PRESENT

C N. NARASI GA RAU, ESQ ? B A , B L ,
Hon President.

Messrs

1. M V Veerappa
2. G R Vithirajulu Naidu, B A , B L ,
3. Ramalal Thiwari
4. Gundenshalli Nanjappa.
5. C Chenniah
6. Singam Rangas amappa.
7. S Vissa Murthy, B.A ,
8. H B. Shankarappa
9. D Venkataramanappa.
10. B N Gupta.
11. P Shivashankar, B A , LL B ,
12. P R. Ramiah, B Sc ,

Messrs.

13. L S. Raju, M A , (Hons), DL.
14. T. T. Sharma.
15. M A Gopalaswamiengar, M A BL
16. M K Narayanaengar, B A , B.L.
17. Mrs Drawakabai Cadambi
18. H C Suryanarayana Rao.
19. K M acanna.
20. K Ambrosa Ananda, B A LT.
21. Mirilal Parasumul
22. S. Ghouse Mohiyuddin
23. A. J Khaleel, B A , B L ,
24. Mirza M Azizulla Deig.

Absent

Messrs.

1. N Keshava Iyengar, B A , B L ,
2. V H Honumarthappa
3. P. V Ramab'andra Gupta

Messrs.

- K N Ramaswamy, B A ,
5. ~~M~~ A K Jayamuthu Raju

Special General Meeting held on 28-2-1943 ⁷

20 Application dated 23-3-1943 of Mr A K
Jayamuthu Raju I L C requesting refund of his
amount of 100/- deposited for the Bye-election
of January 1943 and also President's note thereon

Resolution - approved as a special case and
the amount may be refunded

Sd V K Govindarajulu,

' Hon President

' Copy

P. Srinivasulu
Municipal Commissioner

mlt

Signature

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R e a d -

Letter No Cl C 912/42 dated 21st April 1944 from the Municipal Commissioner, Bangalore City forwarding for orders of Government a copy of the resolution of the municipal council dated the 28th December 1943 recommending, in the circumstances stated, the refund of the deposit of Rs 100/- made by Mr A K Jayamuthu Raju in connection with ^{his} ~~the~~ candidature for the Municipal Bye-election held from the 8th Division, Bangalore City on 31st January 1943

ORDER NO *L 1435-8/mb 10-43-1*
1442-3/ml 52-44-2
Dated, Bangalore, the 9th August 1944

The resolution of the Municipal Council is sanctioned as a special case

To *[Signature]*
Major Secretary to Government,
Law Department
The Municipal Commissioner, Bangalore City
through the President, Bangalore City Municipal
Council
The Comptroller to Government

G R S App F VI—G 2]
SUBJECT

At

Diary No of letter replied to

General and Revenue Secretariat

()
the 194

Section ml

File No 5-2-44

Serial No 2

Proceedings of the Government of
His Highness the Maharaja of Mysore

Date of issue 9/87 1944

Signed by M. G. R. A.

Read—Letter no cl c 912/42

Dy 21-4-44 from the ml comm
Poufy forwarding for orders
of Govt a copy of the resolution
of the ml cl dated 1st 28/12

May this be—

- (i) printed?
- (ii) treated as a Standing Order?
- (iii) published in the Gazette
English Part?
- (iv) translated?
- (v) placed at the disposal of the Press?
- (vi) published in the Gazette
Kannada Part?

in the circumstances stated,
the de return of the deposit

of Rs 100/- made by Mr
Order thereon—No

A K Jayaramiah Raju who
was a candidate for the
Mysore Municipal Council in 1943
city ml cl from the 8/12

Division at the Poyz-election
held on 31-1-1943

order no 1442-3

29/8
The resolution of the ml cl is
infringed as a special case

W. J. Dorsey, Secy
Law Secy

PO the ml Comm, Poufy this
the Comptroller ✓

Last of Enclosures

Copied by

Examined by

Page 1-9